

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TREXEL, INC.

Plaintiff,

v.

Civil Action No. 05-cv-11599 RCL

MASTER INDUSTRIES, INC.,

Defendant.

TREXEL'S REPLY TO MASTER'S COUNTERCLAIMS

Plaintiff Trexel, Inc. (“Trexel”), hereby replies to the Counterclaims filed by Defendant Master Industries, Inc. (“Master”):

18. Admits that Master’s pleading is a counterclaim for a declaratory judgment as alleged in Paragraph 18 of the Counterclaims.

19. Admits that Defendant is a corporation organized and existing under the laws of Ohio, with a place of business at 1712 Commerce Drive, Piqua, Ohio 45356-2694, as alleged in Paragraph 19 of the Counterclaims.

20. Admits that Plaintiff is a corporation organized and existing under the laws of Massachusetts, with its principal place of business at 45 Sixth Road, Woburn, Massachusetts 01801, as alleged in Paragraph 20 of the Counterclaims.

21. Admits that Plaintiff alleges infringement, that an actual controversy exist, and that venue is proper, as alleged in Paragraph 21 of the Counterclaims, but otherwise denies the allegations of Paragraph 21 of the Counterclaims.

22. Admits only that Plaintiff has alleged patent infringement, that Defendant's business activities subject it to liability for patent infringement, and that Defendant has sought a declaratory judgment, as alleged in Paragraph 22 of the Counterclaims.

COUNT I

23. The responses to Paragraphs 18 to 22 are incorporated herein by reference.
24. Denies the allegations of Paragraph 24 of the Counterclaims.

COUNT II

25. The responses to Paragraphs 18 to 24 are incorporated herein by reference.
26. Denies the allegations of Paragraph 26 of the Counterclaims.

RELIEF REQUESTED

Wherefore, Plaintiff Trexel requests that the Court dismiss Master's Counterclaims with prejudice, award Trexel its attorneys' fees and costs, and any other relief that may be just and proper.

TREXEL, INC.,

By its counsel,

November 14, 2005

/s/ Adam J. Kessel
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Adam J. Kessel, BBO # 661211
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